

QC #12



11080, m - 101 -

AlFm

PATENT 099257

13

3M Office of Intellectual Property Counsel  
PO Box 33427  
St. Paul, Minnesota 55133-3427  
612/733 1500

Docket No.  
47241USA7B

Transmittal of Application Under 37 CFR 1.62

Commissioner of Patents and Trademarks  
Box FWC  
Washington, D.C. 20231

Anticipated Classification  
2617

9/14/93  
W. Little

Please file a ☒ continuation ☐ continuation-in-part ☐ divisional application under 37 CFR 1.62  
of pending prior Application No. 07/716,004 filed on June 17, 1991 (Date)  
This new application claims the invention of Earl B. Hoekman (Inventor(s))

for VEHICLE DETECTOR WITH ENVIRONMENTAL ADAPTATION (Title of Invention)

No payment of the issue fee, abandonment of, or termination of proceedings has occurred in the prior application. Applicant(s) abandon the prior application as of the filing date granted this new application. Please transfer the file wrapper and contents of the prior application to this application.

1. ☐ Enclosed is an amendment which contains additional disclosure, and an oath or declaration of the applicant(s). Transfer the file wrapper and contents of the prior application to this continuation-in-part application and enter the amendment.
2. ☒ Amend the specification by inserting before the first line the sentence:

This is a ☒ continuation ☐ continuation-in-part ☐ division of Application No. 07/716,004 filed June 17, 1991 *now abandoned.*

3. ☒ An amendment under 37 CFR 1.116 filed June 30, 1993 was *not* entered in the prior application but should be entered in this application.
4. ☐ Cancel claims
5. ☐ A preliminary amendment is enclosed.
6. ☐        sheet(s) of drawings is/are enclosed.
7. ☐ This application is being filed by less than all the inventors named in the prior application. Please delete the names of the following person(s) who are not inventors of the invention being claimed in this application:

The fees for filing this application are computed as follows:

Claims As Filed, After Accounting For Any Claims Cancelled Or Added In Paragraphs 1 Or 3-5 Above				
(1) For	(2) Number Filed	(3) Number Extra	(4) Rate	(5) Basic Fee \$710.00
Total Claims	13 - 20 =	0	x \$22.00	.00
Independent Claims	8 - 3 =	5	x \$74.00	370.00
Additional fee for filing one or more multiple dependent claims			\$230.00	.00
Assignment Recording Fee			\$40.00	.00
			Total Filing Fee Due	\$1,080.00

8. ☒ Enclosed is \$1,080.00. Please charge any additional fees or credit any overpayment to Deposit Account No. 13-3723.
9. ☒ An assignment is ☐ enclosed or ☒ of record in prior application.
10. ☒ A power of attorney is ☐ enclosed or ☒ of record in prior application.
11. ☐ Other

Respectfully submitted,

Registration Number <u>31,973</u>	Telephone Number <u>(612) 733-6866</u>
Date <u>July 29, 1993</u>	

Signature <u>Robert H. Jordan</u>
Print Name <u>Robert H. Jordan</u>

19

**§ 1.62 File wrapper continuing procedure.**

(a) A continuation, continuation-in-part, or divisional application, which uses the specification, drawings and oath or declaration from a prior complete application [§ 1.51(a)] which is to be abandoned, may be filed before the payment of the issue fee, abandonment of, or termination of proceedings on the prior application. The filing date of an application filed under this section is the date on which a request is filed for an application under this section including identification of the Serial Number, filing date, and applicant's name of the prior complete application. If the continuation, continuation-in-part, or divisional application is filed by less than all the inventors named in the prior application a statement must accompany the application when filed requesting deletion of the names of the person or persons who are not inventors of the invention being claimed in the continuation, continuation-in-part, or divisional application.

(b) The filing fee for a continuation, continuation-in-part, or divisional application under this section is based on the number of claims remaining in the application after entry of any preliminary amendment and entry of any amendments under § 1.116 unentered in the prior application which applicant has requested to be entered in the continuing application.

(c) In the case of a continuation-in-part application which adds and claims additional disclosure by amendment, an oath or declaration as required by § 1.63 must also be filed. In those situations where a new oath or declaration is required due to additional subject matter being claimed, additional inventors may be named in the continuing application. In a continuation or divisional application which discloses and claims only subject matter disclosed in a prior application, no additional oath or declaration is required and the application must name as inventors the same or less than all the inventors named in the prior application.

(d) If an application which has been accorded a filing date pursuant to paragraph (a) of this section does not include the appropriate basic filing fee pursuant to paragraph (b) of this section, or an oath or declaration by the applicant in the case of a continuation-in-part application pursuant to paragraph (c) of this section, applicant will be so notified and given a period of time within which to file the fee, oath, or declaration and to pay the surcharge as set forth in § 1.16(e) in order to prevent abandonment of the application. The notification pursuant to this paragraph may be made simultaneously with any notification of a defect pursuant to paragraph (a) of this section.

(e) An application filed under this section will utilize the file wrapper and contents of the prior application to constitute the new continuation, continuation-in-part, or divisional application but will be assigned a new application serial number. Changes to the prior application must be made in the form of an amendment to the prior application as it exists at the time of filing the application under this section. No copy of the prior application or new specification is required. The filing of such a copy or specification will be considered improper, and a filing date as of the date of deposit of the request for an application under this section will not be granted to the application unless a petition with the fee set forth in § 1.17(i)(1) is filed with instructions to cancel the copy or specification.

(f) The filing of an application under this section will be construed to include a waiver of secrecy by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, or information concerning either the prior application or any continuing application filed under the provisions of this section may be given similar access to, or similar information concerning, the other application(s) in the file wrapper.

(g) The filing of a request for a continuing application under this section will be considered to be a request to expressly abandon the prior application as of the filing date granted the continuing application.

(h) The applicant is urged to furnish the following information relating to the prior and continuing applications to the best of his or her ability:

- (1) Title as originally filed and as last amended;
- (2) Name of applicant as originally filed and as last amended;
- (3) Current correspondence address of applicant;
- (4) Identification of prior foreign application and any priority claim under 35 U.S.C. 119;
- (5) The title of the invention and names of the applicants to be named in the continuing application.

(i) Envelopes containing only application papers and fees for filing under this section should be marked "Box FWC".

(j) If any application filed under this section is found to be improper, the applicant will be notified and given a time period within which to correct the filing error in order to obtain a filing date as of the date the filing error is corrected provided the correction is made before the payment of the issue fee, abandonment of, or termination of proceedings on the prior application. If the filing error is not corrected within the time period set, the application will be returned or otherwise disposed of; the fee, if submitted, will be refunded less the handling fee set forth in § 1.21 (n).

(35 U.S.C. 6, Pub. L. 97-247)

[48 FR 2710, Jan. 20, 1983, as amended at 49 FR 555, Jan. 4, 1984; 50 FR 9380, Mar. 7, 1985; and 54 FR 47519, effective Nov. 15, 1989.]